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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 JOHN DOE,

12 Plaintiff,

13 v.

14 JOE NUNEMAKER, et al.,

15 Defendants.  
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No. 2:22-cv-0830 TLN AC PS

ORDER

17 Plaintiff, who is proceeding in pro se, has filed an application to proceed in forma  
18 pauperis pursuant to 28 U.S.C. § 1915. ECF No. 2.

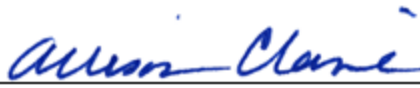
19 The federal venue statute provides that a civil action “may be brought in (1) a judicial  
20 district in which any defendant resides, if all defendants are residents of the State in which the  
21 district is located, (2) a judicial district in which a substantial part of the events or omissions  
22 giving rise to the claim occurred, or a substantial part of property that is the subject of the action  
23 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in  
24 this action, any judicial district in which any defendant is subject to the court’s personal  
25 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

26 In this case, the claims primarily arose in Contra Costa County and San Francisco, which  
27 are in the Northern District of California. It does not appear that any events occurred within the  
28 boundaries of the Eastern District of California. Plaintiff is currently incarcerated in Ohio.

1 Plaintiff's claim should have been filed in the United States District Court for the Northern  
2 District of California. In the interest of justice, a federal court may transfer a complaint filed in  
3 the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d  
4 918, 932 (D.C. Cir. 1974).

5 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
6 States District Court for the Northern District of California.

7 DATED: May 17, 2022

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9 ALLISON CLAIRE  
10 UNITED STATES MAGISTRATE JUDGE  
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